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| Notice of Allowability | Application No. | Applicant(s) | |
| | 09/895,915 | GLOTZBACH ET AL. | |
| | Examiner | Art Unit | |
| | Gary C. Vieaux | 2612 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/21/2004.
2. ☒ The allowed claim(s) is/are 1-4.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____ 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance ✓ 9. <input type="checkbox"/> Other _____ |
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REASONS FOR ALLOWANCE

Amendment

The title has been amended to be more clearly indicative of the invention to
5 which the claims are directed.

Response to Arguments

Applicant's arguments, see Remarks p. 5, filed December 21, 2004, with respect
to claims 1, 2 and 4 have been fully considered and are persuasive. The rejections of
10 claims 1, 2 and 4 have been withdrawn.

Terminal Disclaimer

Applicant has assented (Remarks, p.5) to submission of a terminal disclaimer
upon allowance of the claims in order to overcome the nonstatutory double patenting
15 rejection presented in the Office Action of September 22, 2004, in relation to U.S.
Patent No. 6,791,609.

Allowable Subject Matter

Claims 1, 2, and 4 are allowed.
20 **Claim 3** was allowed in the previous Office Action of September 22, 2004.
Regarding claim 1, the non-commonly owned prior art is not found to teach or at
least fairly suggest that at any given pixel location, employing a first interpolated color

Art Unit: 2612

value to correct a second interpolated color value. The claims are distinguished from the Adams reference (US 5,652,621), which does not employ the second interpolated color value when determining the first interpolated color.

Regarding claim 2, the prior art is not found to teach or fairly suggest, in

5 combination with the claim from which dependence is derived, the color-filtered array having a Bayer pattern and the first of the interpolated colors being green.

Regarding claim 4, the non-commonly owned prior art is not found to teach or at least fairly suggest a color filtered array interpolator, employing three filters, in which a first interpolation filter is applied to a first color, a second interpolation filter is applied to

10 a second color, and a third filter approximates a frequency region difference between the first and second filtered colors.

Contact

Any inquiry concerning this communication or earlier communications from the

15 examiner should be directed to Gary C. Vieaux whose telephone number is 571-272-7318. The examiner can normally be reached on Monday - Friday, 8:00am - 4:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 571-272-7308. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

- 5 For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gary C. Vieaux
Examiner
Art Unit 2612

10 Gcv2


WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
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